

On January 29th, 2009 in Houston, Texas a man was accused of killing his estranged girlfriend's mother and then shooting himself. He had been charged with domestic violence days earlier, after he beat his 17-month-old daughter. Elaine Walker was shot trying to protect her daughter when Roydrick Jiles burst into the daughter's home. Auriel Walker had refused to see or talk to Jiles, after he beat her and their child several days before. She tried to stop him from breaking into their home and he then shot Elaine Walker, Auriel's mother. He then abducted his estranged girlfriend and their child until he shot himself.

Both of these stories prove that sometimes there are preliminary warning signs of domestic violence which, if not handled correctly, can often times lead to severe abuse and even death. Approximately 1.3 million women and 835,000 men are physically assaulted by an intimate partner annually in the United States. One in every four women will experience domestic violence in her lifetime.

Witnessing violence between one's parents or caretakers is the strongest risk factor of transmitting violent behavior from one generation to the next. Boys who witness domestic violence are twice as likely to abuse their own partners and children when they become adults.

We must continue to raise awareness in this country of how common domestic violence is, and without funding and proper resources local governments cannot combat this problem alone. It takes all of us, and informing people of this nationwide problem is the first step. And that's just the way it is.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of House Resolution 817 to support the goals and ideals of National Domestic Violence Awareness Month and to raise awareness of domestic violence in the United States.

When we discuss domestic violence, we are often surprised to discover that domestic violence happens to people of every socioeconomic background in the United States. Everyday, countless individuals become victims of acts perpetuated by intimate partners that seek to establish, maintain, or regain power and control in a relationship. These acts can be as basic as mental and verbal abuse and range to the more obvious physical and sexual abuse. Many times, the victims of these acts are the least likely people one would suspect to suffer from abusive situations, and for this reason domestic violence awareness month is so important.

It is also crucial to note that women are the most frequent victims of domestic violence, and it is estimated that one in every four women will experience domestic violence at some point in their life. Additionally, more than three women are murdered by their husbands or boyfriends in the United States every day, and in 2005 alone, 1,181 women were murdered by an intimate partner. These staggering numbers remind us that we must do all we can to end domestic violence, and particularly domestic violence against women.

Mr. Speaker, I encourage my colleagues to join me in supporting House Resolution 817 so that we can raise awareness about domestic violence and help to end it.

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, I rise in support of the resolution to declare October 2009 the twenty-second Domestic Violence Awareness Month.

The first Domestic Violence Awareness Month was observed in 1987. Over these last 22 years, we have made major strides in making Americans safer and more secure and ensuring the victims of violence receive the services they need.

With the support of federal and state funds, the number of domestic violence shelters, rape crisis centers and service programs has increased significantly. These shelters offer victims a place to turn for help: for emergency shelter and crisis services, and also for legal assistance, transitional housing, and services for their children.

Not only have we strengthened our laws and justice system, we have also brought together victims advocates, law enforcement, and health care professionals to ensure more effective treatment for victims of domestic violence.

This month is an occasion to recognize dedicated law enforcement officers, special prosecutors, counselors, and shelter programs that understand that ending violence requires the efforts of an entire community. It is also a time to reiterate that domestic violence in any form is a crime. It does not matter whether the abuser is a family member; a current or past spouse, boyfriend, or girlfriend; an acquaintance; or a stranger. It is a crime, and it is wrong.

Today, I also commend those who have found the courage to leave an abusive relationship. When individuals get the resources they need, they become strong, and so do their families.

Despite all the gains we have made in reducing domestic violence, we must recognize that the work is not complete; too many are still victims, and too many live in fear on a daily basis. It will take all of us to fulfill the promise to end domestic violence and assault.

Ms. WOOLSEY. Mr. Speaker, domestic violence is a widespread problem. Over two million people a year are physically assaulted by an intimate partner, and an additional 1.3 million are the victims of stalking. H. Res. 817 is an important reminder that October is National Domestic Violence Awareness Month, and that we need to raise awareness of the problem and its serious consequences for victims and their families.

We know that the majority of these domestic violence victims are women, and they often need leave from work to address the effects of this violence. While the Family and Medical Leave Act (FMLA, P.L. 103-3) allows employees to take unpaid leave from work for other situations (e.g. for birth, adoption or to care for a spouse, child under age 18, or parent who has a serious health condition), there is no leave for workers who are recovering from domestic abuse, sexual assault, or stalking, and who need medical attention, legal assistance, counseling, or to participate in other activities that take place during working hours.

H.R. 2515, the Domestic Violence Leave Act, which I have introduced, expands the FMLA to allow workers to take leave to address the consequences of domestic violence, sexual assault, or stalking. It also provides leave to workers so that they can care for a family member—spouse, parent or child, including an adult child—who is a victim of abuse. In addition, the bill extends all of the protections of the FMLA to “domestic partners,” and “children of a domestic partner.”

Our primary goal must be to stamp out domestic violence altogether. But until then, we

need to help those victims who need time off to deal with its effects.

Mrs. BIGGERT. Mr. Speaker, I yield back the balance of my time.

Mr. PIERLUISI. Mr. Speaker, I ask my colleagues to vote for the resolution supporting the goals and ideals of National Domestic Violence Awareness Month, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. PIERLUISI) that the House suspend the rules and agree to the resolution, H. Res. 817, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 19 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1730

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PETERS) at 5 o'clock and 30 minutes p.m.

DECLARATION OF A NATIONAL EMERGENCY WITH RESPECT TO THE 2009 H1N1 INFLUENZA PANDEMIC—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-73)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Energy and Commerce and the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

Pursuant to section 201 of the National Emergencies Act (50 U.S.C. 1621), I hereby report that I have exercised my authority to declare a national emergency in order to be prepared in the event of a rapid increase in illness across the Nation that may overburden health care resources. This declaration will allow the Secretary of Health and Human Services, if necessary, to temporarily waive certain standard Federal requirements in order to enable U.S. health care facilities to implement emergency operations plans to deal with the 2009 H1N1 influenza pandemic in the United States. A copy of my proclamation is attached.

Further, I have authorized the Secretary of Health and Human Services to exercise the authority under section

1135 of the Social Security Act to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children's Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule as necessary to respond to the pandemic throughout the duration of the public health emergency declared in response to the 2009 H1N1 influenza pandemic.

BARACK OBAMA.
THE WHITE HOUSE, October 23, 2009.

MOTION TO INSTRUCT CONFEREES ON H.R. 2996, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. DICKS. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

Mr. SIMPSON. Mr. Speaker, I have a motion to instruct at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Simpson moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2996 be instructed as follows:

(1) Insist on section 425 of the House bill (regarding a prohibition on funds to implement any rule requiring mandatory reporting of greenhouse gas emissions from manure management systems).

(2) That they shall not record their approval of the final conference agreement (as such term is used in clause 12(a)(4) of rule XXII of the Rules of the House of Representatives) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 72 hours prior to the time described in such clause.

Mr. DICKS. Mr. Speaker, I reserve a point of order against the instruction.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to clause 7 of rule XXII, the gentleman from Idaho (Mr. SIMPSON) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Idaho.

Mr. SIMPSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I get into the substance of this motion to instruct, I want to thank Chairman DICKS and his staff for listening to the views of the minority during our preconference deliberations. While we may not agree on everything in this Interior Appropriations conference agreement, our staff discussions have been very productive.

The motion I am offering today is very straightforward and does two things. First, it would insist on section 425 of the House bill regarding a prohibition on funds to implement any rule requiring mandatory reporting of greenhouse gas emissions from manure management systems. Secondly, it would require that the Interior Appropriations conference report be available 72 hours prior to House consideration for the public and Members to read.

This motion to instruct simply insists upon the House-passed bill's position relating to the Latham amendment. The Latham amendment simply says that the EPA cannot implement a rule that requires mandatory reporting of greenhouse gas emissions from cow, pig, or chicken manure.

The Latham amendment was offered in full committee and was one of the very few amendments passed this year with strong bipartisan support. Every Democrat on the Appropriations Committee with agricultural interests in his district supported it, and no one made an effort to strike the language on the House floor. Now, of course anyone could have done that—excuse me, I was wrong. We didn't consider this bill under an open rule, so they would have had to go to the Rules Committee, but no one did go to the Rules Committee to get an amendment approved so that they could offer it on the floor. It was part of the House-passed Interior Appropriations bill and should be a part of the Interior Appropriations conference agreement.

According to the EPA, livestock manure management systems account for less than 1 percent of all human-induced greenhouse gas emissions in the United States. Over 85 percent—that's 85 percent—of greenhouse gas emissions from agriculture in total come from sources other than manure management systems, and these sources are not subject to the reporting rule. By the EPA's own admission, regulating these sources would be overly expensive and burdensome.

Members of the Agriculture Committee have been warning us for years of the danger of climate change rule-making outside of the legislative process. This EPA rule is clear evidence that the chickens have finally come home to roost, as have the cows and pigs.

If you have livestock or a family farm in your congressional district, you will want to support this motion to instruct. The simple truth is that the livestock industry is being hammered by the downturn in our national economy. If you are raising animals for food, you are either losing your shirt or you are going out of business. That's the truth. It's not an exaggeration. Frozen credit markets have left farmers and ranchers without the credit they need to run their day-to-day operations, and many have been forced to sell their land or declare bankruptcy.

It was only a few weeks ago that we added \$350 million to the Ag Appropria-

tions conference report to bail out the dairy industry, which is collapsing under the strain of the credit crisis and low milk prices. And in the Interior conference report, we're not only making it more difficult for farmers to succeed, we are setting them up to fail.

There is another irony here worth noting. The Interior Appropriations conference agreement is likely to include an exemption to a clean air rule affecting ships on the Great Lakes. Chairman OBEY recognized that the excesses of the EPA would place additional hardships upon an economy already devastated by the recession, so the chairman has done what anyone in his position would do to help his constituents—he took action. I happen to agree with him. That's no different from what TOM LATHAM is trying to do to help farmers, ranchers, and livestock producers in Iowa and across the country. The only difference is that Mr. LATHAM's amendment was in the original House bill and Chairman OBEY's rider was airdropped in at the last minute. So we are going to protect the Great Lakes on the one hand while we regulate farmers out of business on the other hand.

If the EPA had existed in Biblical times, there is no question in my mind that it would have regulated gas emissions from Noah's Ark. Poor Noah and his livestock; they could withstand a 40-day flood, but they would never have survived the EPA.

I encourage Members on both sides to take a step back and think about this. Let's use a little common sense here. I urge Members, especially if you support agriculture, farming, and the livestock industry, to support this motion.

Mr. Speaker, I reserve the balance of my time.

Mr. DICKS. Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. The reservation is withdrawn.

The gentleman from Washington is recognized for 30 minutes.

Mr. DICKS. I want my colleagues to know that these are two important issues. We are going to work on them, and we are going to do the very best we can.

EPA has come out with a ruling on this issue that wants to make sure that the largest people who have the biggest farms with the most cows, cattle, and pigs have to report, but we are working on this. We're going to do the best we can to come out with a credible position for the House of Representatives.

And we will do the best we can on the 72 hours, but we have to keep the government running. We have a responsibility to do that.

Mr. Speaker, I reserve the balance of my time.

Mr. SIMPSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentleman from Idaho, and I thank the Speaker for the recognition.

Mr. Speaker, the Senate included a one-sentence provision in the 2008 omnibus spending bill requiring the EPA